

### **REMARKS**

This responds to the Office Action mailed on October 23, 2006.

Claims 9, 10, 14-22, 28, 35, 36, 38, 43 and 44 were pending in the application and were rejected for the reasons noted below. Claims 16 and 21 are amended into independent form as claims 14 and 19 respectively, and claims 9, 10, 15-17, 20, 21 and 28 are canceled. As the claim amendments simply put claims into independent form and accordingly do not require an additional search or additional consideration, the claim amendments should be entered. As a result of the amendment, claims 14, 18, 19, 22, 35, 36, 38, 43 and 44 are now pending in this application, with claims 14, 19, 35, 38 and 43 being the independent claims.

#### **35 USC §102 and 35 USC §103 Rejection of the Claims**

Claims 9, 10, 14-22, 28, 35, 36, 38, 43, and 44 were rejected under 35 USC § 102(e) as being anticipated by *Dittia et al.* (US Patent 6,674,721 B1). Claims 32-34 were rejected under 35 USC § 103(a) as being unpatentable over *Dittia et al.* in view of well known in the art. Independent claims 14 and 19 were amended to include the limitations of claims 16 and 21 respectively, and claims 9, 10, 15-17, 20, 21 and 28 have been canceled. The rejection of claims 14, 18, 19, 22, 35, 36, 38, 43 and 44 is respectfully traversed.

#### **Claims 14 and 18**

It is submitted that *Dittia et al.* do not disclose or suggest all of the elements of claim 14. For example, claim 14 recites a scoreboard memory device to maintain flow control status for a plurality of flows. FIG. 4 and paragraphs 0029-0032 of the publication of the current application describe the scoreboard memory. The Applicant submits that *Dittia et al.* do not disclose or suggest a scoreboard memory device, as required by claim 14. Rather, the Applicant submits that *Dittia et al.* disclose tables that are used to aggregate flow control information received from downstream elements (see FIG. 7D and associated text). The flow control information (see FIG. 7A and associated text) is either returned each time data is transmitted (see FIG. 7B and associated text) or periodically (see FIG. 7C and associated text). The flow control information data is aggregated, for example, in the mailbox 425 (see FIG. 4 and associated text) and the

aggregated information is forwarded based on different parameters summarized in FIG. 6 and accompanying text.

The Applicant respectfully submits that the Examiners contention, based on the various sections referred to, that *Dittia et al.* teach a scoreboard memory as required by claim 14 is clearly erroneous. Rather, these sections are simply related to the aggregating scheme described above. For example, col. 9, lines 38-40 discloses a control logic 311 in the switching elements stores flow control information; col. 12, lines 48-49 discloses transmitting the data aggregated from the mailbox 425 when it is full; col. 13, lines 61-65 discloses a format for the flow control information; and col. 12, lines 9-31 discloses various formats for collecting and distributing flow control information.

Claim 14 recites a selector to select a next flow having a flow control status to process and a message generator to generate a flow control message for the selected flow based on the flow control status maintained in the scoreboard memory device. The Applicant submits that *Dittia et al.* do not disclose or suggest a selector or message generator as required by claim 14. Rather, *Dittia et al.* discloses generating a flow control packet with the aggregated flow control data at certain intervals or when the mailbox is full (see FIG. 6). There is no selection of the next flow or the generation of a flow control message for that queue.

The Applicant respectfully submits that the Examiners contention, based on the various sections referred to, that *Dittia et al.* teach a selector and message generator as recited in claim 14 are clearly erroneous. Rather these sections are simply related to the aggregating scheme described above. Moreover, col. 9, lines 26-28 that the Examiner relies on for teaching the next flow having a control status to process has nothing to do with this but rather simply discloses that the switching elements take action based on flow control information.

Claim 14 recites that the message generator invalidates the flow control status maintained in the scoreboard memory device subsequent to transmitting the generated flow control message. The Applicant submits that *Dittia et al.* do not disclose or suggest invalidating the status as required by claim 14. The Applicant respectfully submits that the Examiners contention, based on the section referred to with respect to claim 16, that *Dittia et al.* teach invalidating the status

as recited in claim 14 is clearly erroneous. Col. 15, lines 24-27 simply discloses that the data may be aggregated in different manners and has nothing to do with invalidating statuses after the status has been used to generate a flow control message.

Claim 14 is submitted to be patentable over the cited reference for at least the reasons discussed above. Claim 18 depends from claim 14 and is therefore submitted to be patentable for at least the reasons presented with respect to claim 14 and for the further features recited therein. The rejection of claims 14 and 18 should accordingly be withdrawn.

#### Claims 19 and 22

It is submitted that *Dittia et al.* do not disclose or suggest all of the elements of claim 19. For example, claim 19 recites selecting a next flow having a flow control status to process and generating a flow control message for the selected flow based on the flow control status maintained in the memory device for the selected flow. For at least reasons similar to those advanced above with respect to the selector and message generator elements of claim 14, it is submitted that *Dittia et al.* do not disclose or suggest selecting and generating as required by claim 19.

Claim 19 recites invalidating the flow control status maintained in the memory device for the selected flow. For at least reasons similar to those advanced above with respect to the message generator element of claim 14 invalidating, it is submitted that *Dittia et al.* do not disclose or suggest invalidating as required by claim 19.

Claim 19 is submitted to be patentable over the cited reference for at least the reasons discussed above. Claim 22 depends from claim 19 and is therefore submitted to be patentable for at least the reasons presented with respect to claim 19 and for the further features recited therein. The rejection of claims 19 and 22 should accordingly be withdrawn.

### Claims 35 and 36

It is submitted that *Dittia et al.* do not disclose or suggest all of the elements of claim 35. For example, claim 35 recites a flow control hub to receive the flow control messages from the egress ports, to record a flow control status for an associated flow in a scoreboard memory based on the received flow control message, to discard the received flow control message subsequent to recording the flow, to select next flow having a valid flow control status to process, and to generate a flow control message for the next flow.

For at least reasons similar to those advanced above with respect to the scoreboard memory element of claim 14, it is submitted that *Dittia et al.* do not disclose or suggest a flow control hub to record a flow control status as required by claim 35.

The Applicant submits that *Dittia et al.* do not disclose or suggest a flow control hub to discard a flow control message after the status is recorded in a scoreboard memory. The Applicant submits that the Examiners contention that col. 15, lines 24-27 discloses discarding is clearly erroneous. This section simply discloses that the data may be aggregated in different manners and has nothing to do with invalidating statuses after the status has been used to generate a flow control message as required by claim 35.

For at least reasons similar to those advanced above with respect to the selector and message generator elements of claim 14, it is submitted that *Dittia et al.* do not disclose or suggest a flow control hub to select a next flow and generate a message for the flow as required by claim 35.

Claim 35 is submitted to be patentable over the cited reference for at least the reasons discussed above. Claim 36 depends from claim 35 and is therefore submitted to be patentable for at least the reasons presented with respect to claim 35 and for the further features recited therein. The rejection of claims 35 and 36 should accordingly be withdrawn.

### Claim 38

It is submitted that *Dittia et al.* do not disclose or suggest all of the elements of claim 38. For example, claim 38 recites a queuing device to receive flow control messages, to update the flow control status in the memory device, and to discard the flow control messages. For at least

reasons similar to those advanced above with respect the flow control element of claim 35 discarding, it is submitted that *Dittia et al.* do not disclose a queuing device that discards flow control messages as required by claim 38.

Claim 38 recites a dequeuing device to select a next flow having a flow control status to be processed and to generate a flow control message based on the next flow control status. For at least reasons similar to those advanced above with respect to the selector and message generator elements of claim 14, it is submitted that *Dittia et al.* do not disclose or suggest a dequeuing device to select a next flow and generate a message for the flow as required by claim 38.

Claim 38 is submitted to be patentable over the cited reference for at least the reasons discussed above. The rejection of claim 38 should accordingly be withdrawn.

#### Claims 43 and 44

It is submitted that *Dittia et al.* do not disclose or suggest all of the elements of claim 43. For example, claim 43 recites discarding the flow control messages after the memory device is updated. For at least reasons similar to those advanced above with respect the flow control element of claim 35 discarding, it is submitted that *Dittia et al.* do not disclose discarding flow control messages as required by claim 43.

Claim 43 recites selecting a next flow having a flow control status to process and generating a flow control message for the selected flow based on the flow control status maintained in the memory device for the selected flow. For at least reasons similar to those advanced above with respect to the selector and message generator elements of claim 14, it is submitted that *Dittia et al.* do not disclose or suggest selecting and generating as required by claim 43.

Claim 43 is submitted to be patentable over the cited reference for at least the reasons discussed above. Claim 44 depends from claim 43 and is therefore submitted to be patentable

for at least the reasons presented with respect to claim 43 and for the further features recited therein. The rejection of claims 43 and 44 should accordingly be withdrawn.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (215-230-5511) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3228.

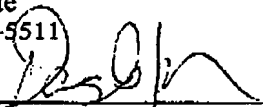
Respectfully submitted,

JAISIMHA BANNUR ET AL.

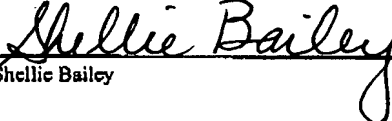
By their Representatives,

Customer Number 46147  
c/o Intellevate  
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Date: December 29, 2006

By   
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29th day of December, 2006.

  
Shellie Bailey